

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1074

To provide for the development and implementation of a national strategy to encourage and promote opportunities for the United States private sector to provide environmentally sound technology, goods, and services (especially source reduction and energy efficiency technology, goods, and services) to the global market, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MAY 28 (legislative day, APRIL 19), 1993

Mr. KERRY (for himself, Mr. CHAFEE, Mr. LIEBERMAN, and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

---

## A BILL

To provide for the development and implementation of a national strategy to encourage and promote opportunities for the United States private sector to provide environmentally sound technology, goods, and services (especially source reduction and energy efficiency technology, goods, and services) to the global market, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Environ-  
5 mental Trade Development Act of 1993”.

1 **SEC. 2. FINDINGS.**

2 The Congress makes the following findings:

3 (1) The global market for environmental tech-  
4 nology, goods, and services, is now  
5 \$270,000,000,000, and is estimated to grow to  
6 \$500,000,000,000 by the year 2000.

7 (2) The global environmental market has been  
8 stimulated by the increased environmental awareness  
9 of developing nations, the emergence of new repub-  
10 lics in the former Soviet Union and Eastern Europe,  
11 increased public awareness of the importance of en-  
12 vironmental protection, and the actions taken by na-  
13 tions at the United Nations Conference on Environ-  
14 ment and Development, which was held at Rio de  
15 Janeiro on June 3–15, 1992.

16 (3) The United Nations Conference on Environ-  
17 ment and Development adopted “Agenda 21”, which  
18 calls on all nations to develop and implement na-  
19 tional strategies for sustainable development of their  
20 natural resources, including the wise use of their  
21 ocean and coastal resources, and urges developed  
22 countries to enter into technology cooperation ar-  
23 rangements with developing countries for the provi-  
24 sion of environmentally sound technologies.

25 (4) The national policy of the United States de-  
26 clares that pollution should be prevented or reduced

1 at the source whenever feasible, prior to environ-  
2 mentally sound recycling, treatment, or landfilling.

3 (5) Source reduction is fundamentally different  
4 from and more desirable than waste management  
5 and pollution control and should be emphasized by  
6 Federal agencies when such agencies are promoting  
7 United States environmental technology, goods, and  
8 services abroad.

9 (6) The United States private sector has devel-  
10 oped regional clusters of environmental businesses,  
11 nonprofit organizations, and educational institutions  
12 in response to United States environmental laws and  
13 regulations.

14 (7) The United States historically has domi-  
15 nated in the development of environmentally sound  
16 technology, goods, and services, but has never gained  
17 a corresponding share of the market outside of the  
18 United States, in part because other countries have  
19 more extensive programs to assist the private sector  
20 in environmental export promotion.

21 (8) Experts estimate that the United States  
22 private sector could create over 300,000 new jobs by  
23 the year 2000 based on an increased share of the  
24 global market for environmental technology.

1           (9) At least 12 Federal agencies have some type  
2       of export promotion program, but no single agency  
3       has overall responsibility for export promotion and  
4       no agency is clearly responsible for the promotion of  
5       environmental technology exports.

6           (10) Promoting United States environmental  
7       exports to the global market will create jobs, assist  
8       nations to implement sustainable development pro-  
9       grams, including the wise use of ocean and coastal  
10      resources, and enhance the role of the United States  
11      as a leader in global environmental policy.

12 **SEC. 3. POLICY AND PURPOSE.**

13       (a) **POLICY.**—The Congress declares that it is the  
14      policy of the United States to promote the export of Unit-  
15      ed States environmental technology, goods, and services  
16      (especially source reduction and energy efficiency tech-  
17      nology, goods, and services) to the global market for the  
18      benefit of the global environment and to increase private  
19      sector jobs in the field of environmental technology.

20       (b) **PURPOSE.**—It is the purpose of this Act—

21           (1) to encourage the United States private sec-  
22      tor to export, and assist the United States private  
23      sector in exporting, environmental technology, goods,  
24      and services (especially source reduction and energy

1 efficiency technology, goods, and services) in order  
2 to carry out the policy set forth in subsection (a);

3 (2) to authorize the President, acting through  
4 the Office of Environmental Policy and the National  
5 Economic Council, to coordinate the relevant policies  
6 and programs of Federal agencies to carry out the  
7 policy set forth in subsection (a);

8 (3) to direct the Secretary of Commerce to en-  
9 sure that the policies and programs of the Depart-  
10 ment of Commerce, including those of the National  
11 Oceanic and Atmospheric Administration, are con-  
12 sistent with and will help carry out the policy set  
13 forth in subsection (a);

14 (4) to establish the Environmental Trade Pro-  
15 motion Council of the United States, a public-private  
16 partnership, and require the Council to develop a na-  
17 tional strategy to promote environmental exports;

18 (5) to authorize matching funds to qualified re-  
19 gional environmental business and technology co-  
20 operation centers to provide technical assistance,  
21 education, and training to small- and medium-sized  
22 United States businesses entering the global environ-  
23 mental market and to provide appropriate training  
24 to foreign nationals;

1           (6) to establish a senior-level environmental  
2       service corps within the Peace Corps through which  
3       experienced environmental professionals would assist  
4       developing countries and emerging democracies to  
5       develop and implement their sustainable development  
6       programs, including programs to promote the wise  
7       use of ocean and coastal resources; and

8           (7) to authorize the Secretary of Commerce to  
9       establish American Business Centers, including En-  
10      vironmental Business Centers, in nations that offer  
11      promising new markets for United States environ-  
12      mental technologies (especially source reduction and  
13      energy efficiency technologies).

14 **SEC. 4. UNITED STATES ENVIRONMENTAL TRADE PRO-**  
15 **MOTION STRATEGY.**

16       The President, acting through the Office of Environ-  
17      mental Policy and the National Economic Council, shall  
18      coordinate the export promotion programs of Federal  
19      agencies to ensure that these programs are consistent with  
20      and implement the national strategy to increase environ-  
21      mental exports that is developed by the Environmental  
22      Trade Promotion Council under section 6.

1 **SEC. 5. COMMERCE DEPARTMENT PARTICIPATION IN ENVI-**  
2 **RONMENTAL TRADE PROMOTION STRATEGY.**

3 (a) REVIEW.—The Secretary shall review the applica-  
4 ble policies and programs of the Department of Com-  
5 merce, including those of the United States and Foreign  
6 Commercial Service and other components of the Inter-  
7 national Trade Administration, and those of the National  
8 Oceanic and Atmospheric Administration, to ensure that  
9 these policies and programs are consistent with and imple-  
10 ment the national strategy to increase environmental ex-  
11 ports that is developed by the Environmental Trade Pro-  
12 motion Council under section 6.

13 (b) REPORT TO CONGRESS.—The Secretary shall re-  
14 port to the Congress any policies and programs that are  
15 found in the review conducted under subsection (a) to be  
16 inconsistent with the national strategy developed under  
17 section 6 and make recommendations for any legislative  
18 changes needed in the authorities of those programs to  
19 remove the inconsistency.

20 (c) 1-STOP SHOPS.—

21 (1) AT THE TRADE INFORMATION CENTER.—  
22 The Secretary shall establish at the Trade Informa-  
23 tion Center in the Department of Commerce an en-  
24 vironmental technology export promotion 1-stop shop  
25 to provide information to United States businesses  
26 selling environmental technology, goods, and services

1 (especially source reduction and energy efficiency  
2 technology, goods, and services) on applicable tech-  
3 nical and financial assistance programs of the De-  
4 partment, potential global market opportunities, in-  
5 cluding trade fairs, for those businesses, and on  
6 international environmental regulations.

7 (2) AT UNITED STATES AND FOREIGN COMMER-  
8 CIAL SERVICE OFFICES.—The Secretary shall ensure  
9 that appropriate offices of the United States and  
10 Foreign Commercial Service, which function as 1-  
11 stop shops for United States exporters, will also  
12 function as environmental technology export pro-  
13 motion 1-stop shops to provide information described  
14 in paragraph (1) to United States businesses selling  
15 environmental technology, goods, and services (espe-  
16 cially source reduction and energy efficiency tech-  
17 nology, goods, and services) in the district or area  
18 served by each such office. In operating such shops  
19 outside the United States, the Secretary shall co-  
20 operate with the Regional Environmental Business  
21 and Technology Cooperation Centers described in  
22 section 7.



1 **SEC. 6. ENVIRONMENTAL TRADE PROMOTION COUNCIL.**

2 (a) ESTABLISHMENT.—The President shall establish  
3 an Environmental Trade Promotion Council (hereafter in  
4 this Act referred to as the “Council”).

5 (b) MEMBERSHIP.—The Council shall be composed of  
6 the following members:

7 (1) The Secretary of Commerce.

8 (2) The Secretary of Energy.

9 (3) The Administrator of the Environmental  
10 Protection Agency.

11 (4) The Administrator of the Agency for Inter-  
12 national Development.

13 (5) The Director of the Trade and Development  
14 Agency.

15 (6) The President of the Export-Import Bank  
16 of the United States.

17 (7) The President of the Overseas Private In-  
18 vestment Corporation.

19 (8) 6 individuals appointed by the President  
20 from among representatives of the United States en-  
21 vironmental technology industry, including 1 rep-  
22 resentative of the marine biotechnology industry.

23 (9) 3 individuals appointed by the President  
24 from among representatives of labor, consumer pro-  
25 tection, and environmental conservation organiza-  
26 tions.

1           (10) 3 individuals appointed by the President  
2           from among representatives of the States and asso-  
3           ciations representing the States.

4           (c) CHAIRPERSON.—The Secretary shall serve as the  
5           chairperson of the Council.

6           (d) FUNCTIONS OF THE COUNCIL.—The Council  
7           shall—

8           (1) develop a national strategy to increase ex-  
9           ports of United States environmental technology,  
10          goods, and services (especially source reduction and  
11          energy efficiency technology, goods, and services);

12          (2) work with the Environmental Trade Pro-  
13          motion Working Group of the Trade Promotion Co-  
14          ordinating Committee in developing the national  
15          strategy referred to in paragraph (1);

16          (3) prepare an action plan to implement the na-  
17          tional strategy, including recommended guidelines  
18          for agencies represented on the Council and the En-  
19          vironmental Trade Promotion Working Group re-  
20          ferred to in paragraph (2) to take action within their  
21          respective agencies to promote exports of environ-  
22          mental technologies (especially source reduction and  
23          energy efficiency technologies);

1           (4) submit the national strategy and action  
2 plan simultaneously to the President and the Con-  
3 gress by April 30, 1994; and

4           (5) make periodic reports to the President and  
5 the Congress on the achievement of the goals of the  
6 national strategy and the action plan.

7       (e) STAFF AND ADMINISTRATION.—

8           (1) SUPPORT SERVICES.—The Secretary shall  
9 provide to the Council such administrative and tech-  
10 nical support services as are necessary for the effec-  
11 tive functioning of the Council.

12          (2) OTHER SUPPORT.—The Administrator of  
13 General Services shall furnish the Council with such  
14 offices, equipment, supplies, and services as the Ad-  
15 ministrator is authorized to furnish to any other  
16 agency or instrumentality of the United States.

17          (3) COMPENSATION AND EXPENSES.—

18               (A) Except as provided in subparagraph  
19 (B), members of the Council shall each be paid  
20 the daily equivalent of the minimum rate of  
21 basic pay payable for grade GS-15 of the Gen-  
22 eral Schedule for each day during which they  
23 are engaged in the actual performance of duties  
24 vested in the Council.

1 (B) Members of the Council who are offi-  
2 cers and employees of the United States may  
3 not receive additional pay, allowances, or bene-  
4 fits by reason of their service on the Council.

5 (C) Each member of the Council shall re-  
6 ceive travel expenses, including per diem in lieu  
7 of subsistence, in accordance with sections 5702  
8 and 5703 of title 5, United States Code.

9 (f) DISCLOSURE OF FINANCIAL INTEREST.—Each  
10 member of the Council appointed under paragraph (8) or  
11 (9) of subsection (b) shall file with the Secretary, before  
12 serving on the Council, a statement of financial interest  
13 that that individual, or the spouse, minor child, or partner  
14 of that individual may have in an activity that may be  
15 addressed by the national strategy or action plan devel-  
16 oped under subsection (d).

17 (g) PROCEDURAL MATTERS.—

18 (1) FEDERAL ADVISORY COMMITTEE ACT.—The  
19 Council is not an advisory committee for purposes of  
20 the Federal Advisory Committee Act (5 U.S.C. App.  
21 1.).

22 (2) OPEN MEETINGS.—The meetings of the  
23 Council shall be open to the public and timely public  
24 notice shall be provided in advance of each regular  
25 meeting of the Council.

1 (h) SUNSET.—The Council shall cease to exist on  
2 September 30, 1998.

3 **SEC. 7. REGIONAL ENVIRONMENTAL BUSINESS AND TECH-**  
4 **NOLOGY COOPERATION CENTERS.**

5 (a) PURPOSE.—It is the purpose of this section to  
6 provide matching funds for the establishment of regional  
7 environmental business and technology cooperation cen-  
8 ters that will draw upon their own expertise and existing  
9 Federal Government programs to provide assistance, edu-  
10 cation, and training for United States and foreign compa-  
11 nies and organizations engaged in providing and acquiring  
12 United States environmental technology, goods, and serv-  
13 ices (especially source reduction and energy efficiency  
14 technology, goods, and services).

15 (b) REGIONAL ENVIRONMENTAL BUSINESS AND  
16 TECHNOLOGY COOPERATION CENTERS.— Eligible govern-  
17 ment and private sector organizations that are actively en-  
18 gaged in providing export assistance to small- and me-  
19 dium-sized environmental businesses and environmental  
20 training to foreign nationals may apply to the Secretary,  
21 in such form and manner as the Secretary may prescribe,  
22 for designation as a Regional Environmental Business and  
23 Technology Cooperation Center. Eligible organizations in-  
24 clude State and local government agencies, small- and me-  
25 dium-sized businesses, and appropriate programs imple-

1 mented by professional societies, worker organizations, in-  
2 dustrial organizations, for-profit and nonprofit organiza-  
3 tions, and institutions of higher education, including those  
4 designated as sea grant colleges under the National Sea  
5 Grant College Program Act (33 U.S.C. 1121 and follow-  
6 ing).

7 (c) STANDARDS FOR DESIGNATION OF CENTERS.—  
8 The Secretary shall establish standards for designating or-  
9 ganizations or programs described in subsection (b) as Re-  
10 gional Environmental Business and Technology Coopera-  
11 tion Centers. In establishing such standards, the Secretary  
12 shall give priority to—

13 (1) already existing centers and organizations  
14 which have demonstrated competence in the areas of  
15 environmental education and training and provision  
16 of export assistance to small- and medium-sized  
17 businesses; and

18 (2) any group of eligible organizations that  
19 would be designated as a single Regional Environ-  
20 mental Business and Technology Cooperation Cen-  
21 ter.

22 (d) GRANTS.—

23 (1) IN GENERAL.—The Secretary may, subject  
24 to the availability of appropriations, make grants to  
25 Regional Environmental Business and Technology

1 Cooperation Centers designated under subsection  
2 (b).

3 (2) USE OF GRANTS.—Grants awarded under  
4 paragraph (1) may be used by a Regional Environ-  
5 mental Business and Technology Cooperation Cen-  
6 ter—

7 (A) to provide demonstrations of United  
8 States environmental technology (especially  
9 source reduction and energy efficiency tech-  
10 nology) in the United States and in countries  
11 that offer promising new market possibilities  
12 for the export of environmental technology (es-  
13 pecially source reduction and energy efficiency  
14 technology) to foreign nationals that have an  
15 interest in purchasing United States environ-  
16 mental technology;

17 (B) to provide technical assistance on ex-  
18 port development programs and export financ-  
19 ing to small- and medium-sized businesses, in  
20 the region served by the Center, that have an  
21 interest in exporting such environmental tech-  
22 nology, goods, and services (especially source  
23 reduction and energy efficiency technology,  
24 goods, and services);

1 (C) to provide technical assistance on how  
2 to market, distribute, and provide pre- and  
3 post-sales service to small- and medium-sized  
4 businesses, in the region served by the Center,  
5 that have an interest in exporting such environ-  
6 mental technology, goods, and services (espe-  
7 cially source reduction and energy efficiency  
8 technology, goods, and services);

9 (D) to conduct programs in the United  
10 States of training and education of foreign na-  
11 tionals in environmental management, coastal  
12 zone management, sustainable development,  
13 marine pollution prevention and response, ma-  
14 rine biotechnology, and environmental business  
15 management;

16 (E) to identify market data, environmental  
17 needs, and environmental regulations of speci-  
18 fied foreign countries and areas for United  
19 States environmental technology, goods, and  
20 services (especially source reduction and energy  
21 efficiency technology, goods, and services); and

22 (F) to perform other services to promote  
23 the export of United States environmental tech-  
24 nology, goods, and services (especially source



1 reduction and energy efficiency technology,  
2 goods, and services).

3 (3) TERMS OF GRANTS.—Each grant under this  
4 subsection may be awarded for an initial period of  
5 not more than 3 years and may be renewed for 1 ad-  
6 ditional period of not more than 2 years. Each such  
7 grant may not at any time exceed 50 percent of the  
8 operating costs of the recipient Regional Environ-  
9 mental Business and Technology Cooperation Center  
10 and shall be matched by financial and in-kind con-  
11 tributions of the Center.

12 (4) LIMITATION IN NUMBER OF GRANTS.—The  
13 Secretary is authorized to make grants under this  
14 section to not more than 6 Regional Environmental  
15 Business and Technology Cooperation Centers.

16 **SEC. 8. SENIOR ENVIRONMENTAL SERVICE CORPS.**

17 The Peace Corps Act (22 U.S.C. 2501–2523) is  
18 amended by adding at the end the following:

19 **“SEC. 29. SENIOR ENVIRONMENTAL SERVICE CORPS.**

20 “(a) ESTABLISHMENT OF SENIOR ENVIRONMENTAL  
21 SERVICE CORPS.—There is established within the Peace  
22 Corps a division known as the ‘Senior Environmental  
23 Service Corps’.

24 “(b) PURPOSE.—The purpose of the Senior Environ-  
25 mental Service Corps is to provide volunteers with experi-

1   ence in environmental management, environmental tech-  
2   nology (especially source reduction and energy efficiency  
3   technology), sustainable development, coastal zone man-  
4   agement, or marine pollution and prevention, to countries  
5   requesting volunteers with these skills.

6       “(c) DUTIES AND RESPONSIBILITIES.—Volunteers in  
7   the Senior Environmental Service Corps shall provide ad-  
8   vice to foreign governments, ministries, for-profit and non-  
9   profit organizations, and others in environmental manage-  
10  ment, strategies, and practices.

11       “(d) TERMS AND CONDITIONS OF SERVICE.—The  
12  President shall enroll volunteers in the Senior Environ-  
13  mental Service Corps in the same manner and under the  
14  same terms and conditions of service as other volunteers  
15  are enrolled under section 5 of this Act, except that volun-  
16  teers in the Senior Environmental Service Corps may be  
17  provided with stipends sufficient to enable them to fulfill  
18  the functions described in subsection (c) of this section.”.

19   **SEC. 9. AMERICAN BUSINESS CENTERS.**

20       (a) ESTABLISHMENT.—The Secretary is authorized  
21  and encouraged to establish American Business Centers,  
22  including Environmental Business Centers, in such coun-  
23  tries that the Secretary determines offer promising new  
24  market possibilities for the export of United States envi-  
25  ronmental technology, goods and services (especially

1 source reduction and energy efficiency technology, goods,  
2 and services). To the maximum extent practicable, the  
3 Secretary shall use the private sector to establish such  
4 Centers.

5 (b) POLICY GUIDANCE.—To the extent consistent  
6 with the policy and purposes of this Act, the Secretary  
7 shall comply with the directives set forth in paragraphs  
8 (1), (2), (3), (4), and (6) of section 301(c) of the Freedom  
9 Support Act of 1992 (22 U.S.C. 5821) in establishing  
10 American Business Centers and Environmental Business  
11 Centers under this section.

12 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated—

14 (1) to the Secretary of Commerce—

15 (A) \$4,000,000 for each of fiscal years  
16 1994, 1995, 1996, 1997, and 1998, to carry  
17 out sections 5, 6, and 9; and

18 (B) \$6,000,000 for each of fiscal years  
19 1994, 1995, 1996, 1997, and 1998, to carry  
20 out section 7; and

21 (2) to the Director of the Peace Corps  
22 \$1,500,000 for each of fiscal years 1994, 1995,  
23 1996, 1997, and 1998 to carry out section 8.

24 Sums appropriated pursuant to paragraph (2) shall re-  
25 main available for 2 fiscal years.

1 **SEC. 11. DEFINITIONS.**

2 As used in this Act—

3 (1) the term “export promotion program”  
4 means any activity of the Federal Government de-  
5 signed to stimulate or assist United States busi-  
6 nesses in marketing their goods and services, includ-  
7 ing environmental technology, abroad;

8 (2) the term “Secretary” means the Secretary  
9 of Commerce; and

10 (3) the term “State” means each of the several  
11 States, the District of Columbia, and any common-  
12 wealth, territory, or possession of the United States.

○

S 1074 IS——2